

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11193-NG

SHAWN DRUMGOLD,)
Plaintiff)
)
v.)
)
TIMOTHY CALLAHAN, et. al.,)
Defendants)
)

DEFENDANTS' JOINT SCHEDULING PROPOSAL

NOW COME THE DEFENDANTS the City of Boston, Francis M. Roache, Timothy Callahan and Richard Walsh in the above-captioned matter and having been unable to resolve their differences with the plaintiff to produce to the Court a Joint Scheduling Proposal pursuant to the Court's order of October 27, 2005 respectfully submit the following dates for the scheduling of this action.

The dates provided below, with the exception of advancing the date of initial disclosures to December 5, 2005, are consistent with this Court's October 27th order mandating that six (6) months be added to the deadlines provided in the Plaintiff's Proposed Scheduling Order filed July 1, 2005. Though this method of calculation advanced by the Court places a likely trial date some time in early 2007 and well beyond the Court's estimated trial date for September 2006, the Court in an aside noted, as a practical matter, the September 2006 target date for trial would have been the earliest available date for the case to be tried in this session.

The above-named defendants' proposed scheduling dates are as follows:

- A. All initial disclosures pursuant to Fed.R.Civ.P. 26(A) to be made on or about
December 5, 2005;

- B. All motions to dismiss to be filed on or about February 26, 2006;
- C. All plaintiff's expert disclosures pursuant to Fed.R.Civ.P. 26(A)2 made on or about August 15, 2006;
- D. All defendants' expert disclosures pursuant to Fed.R.Civ.P. 26(A)2 made on or about September 1, 2006;
- E. Discovery completed (all depositions, interrogatories and document requests) on or about October 1, 2006;
- F. All expert depositions, if necessary, to be completed on or about October 1, 2006;
- G. All motions pursuant to Fed.R.Civ.P. 56 requesting summary judgment to be filed on or about November 1, 2006;
- H. Final Pretrial Conference as scheduled by the Court;
- I. Trial on or about March 2007; and
- J. Thirty depositions per side with additional depositions only upon the allowance of a motion for leave to do so.

Respectfully submitted,
By Defendants City of Boston and
Francis M. Roache
Through their attorneys,

/s/ John P. Roache
John P. Roache (BBO# 421680)
Patrick J. Donnelly (BBO# 651113)
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Respectfully submitted,
By Defendant Richard Walsh
Through his attorney,

/s/ Hugh R. Curran
Hugh R. Curran, Esquire
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Respectfully submitted,
By the Defendant Timothy Callahan
Through his attorney,

/s/ Mary Jo Harris
Mary Jo Harris, Esquire
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Tel.: (617) 523-6666
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Date: November 4, 2005

CERTIFICATE OF RULE 7.1 CONFERENCE AND OF SERVICE

I, John P. Roache, hereby certify that, prior to filing the above, counsel conferred concerning scheduling in this matter and attempted in good faith to resolve or narrow the issues. I further certify that on this 4th day of November, 2005, the defendants jointly filed a copy of the foregoing document electronically. Notice of this filing will be sent to all parties via the United States District Court electronic filing system and where unable to do so electronically, a true copy of the foregoing document via U.S. first class mail, postage prepaid. Parties may access this filing through the Court's system.

/s/John P. Roache
John P. Roache